

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 04-CR-248

-vs-

**JEFFERSON N. CALIMLIN,
ELNORA M. CALIMLIM,
and JEFFERSON M. CALIMLIM,**

Defendants.

ORDER

Before the Court are two motions. First is a request from the defendants for this Court to reconsider the Magistrate Judges's decision denying the defendants' motion for reconsideration of the Magistrate Judges's previous ruling. Second is the government's motion in limine to utilize testimony from a witness, Leonida Atacader Caceres ("Caceres") under Federal Rule of Evidence 404(b).

The Court has read the briefs submitted and rules as follows. Both motions are denied. As to the first motion, this Court adopts the distinctions drawn by Magistrate Judge Callahan in denying the motion for reconsideration. As to the second motion, the facts summarizing Caceres's situation are not facts that place it squarely within the standards of Rule 404(b) which would allow the Court to admit her testimony.

Both motions are DENIED.

Dated at Milwaukee, Wisconsin, this 5th day of May, 2006.

SO ORDERED,

s/ Rudolph T. Randa

HON. RUDOLPH T. RANDA

Chief Judge